

MINUTES OF THE MEETING OF THE BAR - BENCH - MEDIA CONFERENCE

A meeting of the Bar-Bench-Media Conference was held on Thursday, June 10, 1993 at 1:30 p.m. in the Family Court Conference Room in Dover. The meeting was opened to the public. Notice of the meeting had been posted. The members of the Conference in attendance were:

Members from the Print News Media

Ms. Tamra Brittingham
Ms. Rita Katz Farrell
Mr. James Flood
Mr. John Sweeney
Mr. John Taylor

Members from the Electronic News Media

Ms. Marilyn Buerkle
Mr. Allan R. Loudell
Mr. William D. Osborne
Mr. Michael Sigman

Members from the Bench

Vice Chancellor Jack B. Jacobs
Judge Jay Paul James
Judge Roderick R. McKlevie
President Judge Henry duPont Ridgely

Members from the Bar

Howard M. Handelman, Esquire
Harvey B. Rubenstein, Esquire
Mary E. Sherlock, Esquire

At the request of the Conference, James Yacucci of the District Court, Stephen D. Taylor of the Supreme Court, Thomas J. Ralston of the Superior Court, Carole B. Kirshner of the Court of Common Pleas, Edward Pollard, Jr. of the Family Court and Thomas Nagle of the Justice of the Peace Courts, were present as the media contacts for their respective courts. Patti Hartman of WILM also attended.

Vice Chancellor Jacobs called the meeting to order. The minutes of the previous meeting were approved.

Mr. Handelman informed the Conference that the President of the Delaware State Bar Association had re-appointed Rosemary Killian and Mary Sherlock to new 3 year terms. Harvey Rubenstein was appointed to replace Dallas Winslow. It was noted that Tamra Brittingham replaced Judith Roales, and John Sweeney replaced Henry Freeman as members of the Conference. Chief Justice Veasey will formally reappoint Justice Holland, Vice Chancellor Jacobs and Chief Magistrate Richardson to new terms as members of the Conference next week. The Conference decided that all appointments were made retroactive to the dates that members' terms had expired. It was further decided that members of the Conference will holdover after their terms expire until they are either reappointed or replaced.

The election of new officers was the next agenda item. Following the custom and practice of the Conference to rotate the Conference offices among the various Conference divisions, the vice chairman, Bill Osborne, was elected as the chairman because it was the electronic news media's turn to chair the Conference. Harvey Rubenstein was elected vice chairman because a Bar member will chair the Conference next year under the rotation system that has the vice chairman succeed the chairman.

At Vice Chancellor Jacobs' request, Steve Taylor handed out a final accounting report prepared by Franny Maguire on the February seminar. A total of \$1,205.85 will be returned to the Humanities Forum after all bills have been paid.

The Conference members began to discuss the areas where the Conference should focus its attention in the future. It was the consensus that a seminar need not be held every year but that short programs could be put together for the Bar-Bench Conference in June, 1994 or single theme programs on ethics or professional standards could be held in the auditorium of the State Office Building. The example discussed was proposing two or three hypotheticals to the various media groups and have the media groups explain how they would handle the particular situations. The audience would have the opportunity to ask questions or make comments. The Conference felt that a subcommittee should focus on the short program concept.

The topic of the Conference developing a statement of principles was discussed. It was noted that John Taylor was asked to look into the possibility of drafting a consensus statement that the Conference could endorse. The Conference members agreed that John should attempt to draft such a statement but were clear that they were not looking for a statement similar to the Statement of Principles contained in the previous Bar-Bench-Press Declaration.

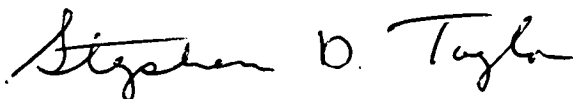
Mike Sigman began a discussion of agenda items numbers three and four concerning expansion of photographic and electronic news media coverage to trial courts and equal access to the courts for all media. Mike circulated a proposed resolution to the Committee which would ask the Delaware Supreme Court to consider allowing an expansion of photographic and electronic news media coverage to the trial courts. After much discussion, the Conference unanimously approved an amended resolution that reads: "Be it Resolved by The Bar-Bench-Media Conference that the Supreme Court of the State of Delaware consider whether cameras and recording devices should be permitted in some or all of the Delaware trial courts."

The Conference directed the chairman to contact the Chief Justice and present the resolution. It was hoped that the Chief Justice would indicate whether the Court would consider such a request or indicate whether the Court would say that it had no interest in considering the proposed expansion.

Mike Sigman discussed the need for equal access to the courts for all news media. Mike described an example where news media representatives with tape recorders were permitted to use their tape recorders in areas adjacent to a Superior Court courtroom while TV cameras were not permitted inside the building. Each Court Administrator and Mr. Yacucci were asked their respective Court's policy on the issue of the presence of photographic and electronic recording devices in an area adjacent to a courtroom . It was discovered that few if any written policies exist to cover this issue. Steve Taylor volunteered to contact each court and ask for a copy of any court's policy for distribution to the Conference prior to the September meeting. A discussion on the issue of equal access ensued without resolution. It was the consensus that the issue could not be resolved at this meeting and would have to be discussed at a later date while keeping in mind the Conference's resolution for the Supreme Court to consider an expansion of photographic and electronic news media coverage to the trial courts.

At the end of the meeting, Bill Osborne scheduled the next meeting of the Conference for Thursday, September 9, 1993 in Wilmington at a location to be announced at a later date.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Stephen D. Taylor". The signature is written in dark ink and is positioned below the typed name "Stephen D. Taylor".

Date: June 16, 1993

BAR BENCH MEDIA CONFERENCE

June 10, 1993

A Resolution

Whereas the placement of cameras and recording devices is a widely accepted practice in trial courts in the United States and is a natural extension of the current practice that allows electronic media coverage of Delaware Supreme Court proceedings, be it resolved by The Bar Bench Media Conference that the Supreme Court of the State of Delaware consider ~~permitting~~ ^{where} cameras and recording devices in Delaware's trial courts. ^{resolves}

^{should be permitted}
should be permitted in some or all of Delaware
Trial Courts.

[Signature]